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BAKER BOTTS LLP

**REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL**

Application Number: 09/831,929
First Named Inventor: Choi
Group Art Unit: 1615
Examiner Name: L.S. Channavajjala
Customer Service No.:
Attorney Docket No.: A34293-PCT-USA
Total Pages: 14

EXPRESS MAIL NO. EV 342 492 176 US

June 9, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
BOX RCE

Sir:

This is a Request for Continued Examination (RCE), under 37 C.F.R. § 1.114, of Application No. 09/831,929 filed on June 29, 2001, entitled "BIOCIDE COMPOSITION AND STERILIZATION METHOD USING THE SAME."

Submission Required under 37 C.F.R. § 1.114:

- ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☒ A Communication is enclosed (10 pages).
- ☒ Declaration to follow.
- ☐ Information Disclosure Statement (IDS) is enclosed (4 pages).
☐ PTO-1449 (3 pages)
☐ Copies of IDS Citations (27 documents in one binder)
- ☐ Other:
- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) is required.)
- ☒ The term for taking action in the prior application expires on June 9, 2003.
- ☒ A three month Extension of Time up to and including June 9, 2003 to respond to the PTO communication is hereby requested under 37 C.F.R. § 1.136(a).

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FEE CALCULATION:

[X] The fee for an extension of time to respond (37 C.F.R. § 1.17(1)-(5)) is calculated as shown below:

	<u>Extension (months)</u>	<u>Fee for small entity</u>	<u>Other Than A Small Entity Rate Fee</u>
[]	one month	\$55.00	\$110.00
[]	two months	\$205.00	\$410.00
[X]	three months	\$465.00	\$930.00
[]	four months	\$725.00	\$1,450.00
[]	five months	\$985.00	\$1,970.00
[]	less ___ month extension fee	(\$.00)	

[] The claim amendment fee is calculated as shown below:

	<u>Claims remaining after amendment (Col. 1)</u>	<u>Highest No. Prev. Paid for (Col. 2)</u>	<u>Present extra (Col. 3)</u>	<u>Small Entity Rate Fee</u>	<u>or</u>	<u>Other Than A Small Entity Rate Fee</u>
Total	6	Minus 20	= 0	x 9 = \$0	or	x 18 = \$0
Ind.	3	Minus 3	= 0	x 42 = \$0	or	x 84 = \$0
() First Presentation of Multiple Dependent Claim				+ 140 = \$0	or	+280 = \$0
Total Claim Amendment Fee:						\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest No. prev. paid for" in this space is less than 20, write "20" in this space.
 *** If the "Highest No. prev. paid for" in this space is less than 3, write "3" in this space.

FEE PAYMENT BEING MADE:

[X]	Extension of time fee (from above)	\$930.00
[]	Claim amendment fee (from above)	\$0.00
[]	RCE filing fee –small entity: \$375.00 (37 C.F.R. § 1.17(e))	\$0.00
[X]	RCE filing fee –other than small entity: \$750.00 (37 C.F.R. § 1.17(e))	\$750.00
[]	Suspension of action fee: \$130.00 (37 C.F.R. § 1.17(i))	\$0.00
TOTAL FEE DUE:		<u>\$1680.00</u>

[X] A check in the amount of \$1680.00 is enclosed.

[] The Commissioner is hereby authorized to charge \$0.00 to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

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- ☒ The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the submission of this communication, including any fees under 37 C.F.R. §§ 1.16, 1.17, or 1.21(h), and to credit any over payments, to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

By:



Peter J. Shen

PTO Registration No. 52,217

Attorney for Applicant

30 Rockefeller Plaza

Baker Botts, LLP

(212) 408-2595

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A34293-PCT-USA (072944.0139)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Choi *et al.*
Appln. No. : 09/831,929 Examiner : L.S. Channavajjala
Filed : June 29, 2001 Art Unit : 1615
For : BIOCIDIC COMPOSITION AND STERILIZATION METHOD USING
THE SAME

RESPONSE

EXPRESS MAIL NO.: EV 342 492 176 US

BOX RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated December 9, 2002, Applicants submit this Response and a Request for Continued Examination Under 37 C.F.R. § 1.114. Applicants enclose payment pursuant to § 1.17(a)(3) for a three-month extension of time, and pursuant to § 1.17(e) for the Request for Continued Examination; a Fee Transmittal is also submitted herewith.

Applicants believe that no additional fee is required in connection with this submission. However, should any other fee be required, the Commissioner is hereby authorized to charge any such fee to Deposit Account 02-4377. Any required extension of time is hereby requested. Duplicate copies of this sheet are enclosed.